

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**WEDNESDAY, THE TWELFTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 12553 OF 2024

Between:

Sai Prasanna Chintha, W/o. Chinta Rakesh Roshan, aged about 35 years, Occ: Housewife, R/o. Flat No.401, Adithya Suncast Apartment, Film Nagar, Hyderabad.

...Petitioner/Owner of the Property

AND

1. The State of Telangana, Rep by its SHO, Raidurgam PS Through its Public Prosecutor, High Court for the State of Telangana at Hyderabad.

...Respondent No.1/Complainant

2. Ch. Rakesh Roshan, S/o. Kondal Rao, aged about 40 years, Occ Pvt. Employee, R/o. Flat No.401, Adithya Suncast Apartment, Film Nagar, Hyderabad.

...Respondent No.2

(Respondent No.2 is not a necessary Party)

Petition under Section 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to quash the order dated 24-11-2023 made in CRL.MP.No.2401 of 2023 in Cr.No.428 of 2023 (Raidurgam Police Station) on the file of the Hon'ble Metropolitan Sessions Judge, Rangareddy District at L.B.Nagar to the extent of directing the Petitioner to furnish surety of Rs.12,00,000/- (Rupees Twelve Lakh only) and allow the petition by directing to furnish the personal bond collateral security instead of furnishing surety to the satisfaction of the Hon'ble court.

I.A. NO: 1 OF 2024

Petition under Section 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to grant interim release of the seized vehicle bearing Registration No. AP 31 DU 9999 to the petitioner in Crime No.428 of 2023 on the file of

Raidurgam Police Station, Cyberabad District, pending disposal of the Quash Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri M.S. Achyuth Bharathwaj, Advocate for the Petitioner and the Sri M. Vivekananda Reddy, Public Prosecutor on behalf of the Respondent No.1.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.12553 OF 2024

ORDER:

This Criminal Petition is filed by the petitioner, owner of the vehicle, to quash the order dated 24.11.2023 made in CrI.M.P.No.2401 of 2023 on the file of the Metropolitan Sessions Judge, Rangareddy District at L.b.Nagar, arising out of Cr.No.428 of 2023 on the file of the Raidurgam Police Station, Cyberabad, to the extent of directing the petitioner to furnish surety of Rs.12,00,000/- (Rupees Twelve Lakh only) and allow the petition by directing the petitioner to furnish the personal bond or collateral security instead of furnishing surety to the satisfaction of the trial Court.

2. Heard the learned counsel for the petitioner and Sri M. Vivekananda Reddy, learned Public Prosecutor for the respondent No.1 - State. Perused the record.

3. The case of the petitioner is that she is the registered owner of the vehicle, i.e., Fortuner vehicle bearing registration No.AP-31-DU-9999. Learned counsel submits that the Police seized the said vehicle of the petitioner during

the investigation of the Crime No.428 of 2023 of Raidurgam Police Station, Cyberabad, for the offence under Sections 21(a), 22, 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985. The petitioner filed an application under Section 451 read with Section 457 of Cr.P.C before the learned Metropolitan Sessions Judge, Ranga Reddy District at L.B.Nagar, seeking release of the petitioner's vehicle. Learned Judge allowed the said application for interim custody on condition of surety of Rs.12,00,000/-.

4. Learned counsel for the petitioner would submit that the petitioner is not in a position to furnish surety of Rs.12,00,000/- to the satisfaction of the trial Court and seeks to allow the petitioner to furnish the personal bond or collateral security instead of furnishing surety to the satisfaction of the trial Court.

5. The Criminal Petition is partly allowed and the impugned vehicle i.e., Fortuner bearing registration No.AP-31-DU-9999 shall be released to the petitioner for interim custody on her executing a personal bond of Rs.5,00,000/- (Rupees Five Lakhs only) with one surety for the like sum to

the satisfaction of the Court below. The remaining conditions of the trial Court are unaltered. No order as to costs.

Miscellaneous Petitions, if any pending, shall stand closed.

SD/- A.V.S. PRASAD
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

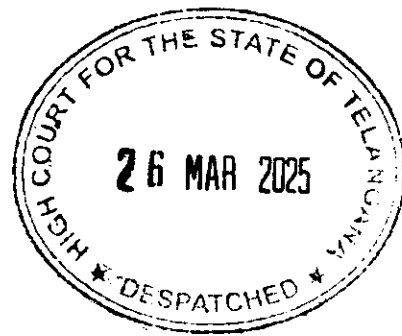
1. The Metropolitan Sessions Judge, Rangareddy District at L.B.Nagar
2. The Station House Officer, Raidurgam Police Station, Madhapur Division.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to Sri M.S. Achyuth Bharathwaj, Advocate [OPUC]
5. Two CD Copies

kam/PSL

[Handwritten signature]

HIGH COURT

DATED:12/03/2025



ORDER

CRLP.No.12553 of 2024

**ALLOWING THE
CRIMINAL PETITION**

⑧

Kpr
26/3/25